

**Congress of the United States**  
**Washington, DC 20515**

December 14, 2020

The Honorable Nancy Pelosi  
Speaker  
United States House of Representatives  
U.S. Capitol, H-232  
Washington, DC 20515

The Honorable Chuck Schumer  
Minority Leader  
United States Senate  
U.S. Capitol, Room S-224  
Washington, DC 20515

Dear Speaker Pelosi and Senate Minority Leader Schumer,

As Chairs of the Congressional Tri-Caucus – composed of the Congressional Asian Pacific American Caucus, Congressional Black Caucus, and Congressional Hispanic Caucus, we write to underscore the importance of extending the statutory reporting deadlines for the Census Bureau to deliver apportionment and redistricting data in any end of the year spending package. This extension is necessary for the Census Bureau to implement complex data processing activities thoroughly and to complete the most accurate 2020 Census possible. The COVID-19 pandemic has upended the 2020 Census completely, and the Census Bureau must dedicate enough time to ensure that we have a complete and accurate census.

Under the current statutory deadlines, the Census Bureau must produce the 2020 Census numbers for congressional apportionment by December 31, 2020, and then transmit the redistricting data to states for redistricting purposes by no later than April 1, 2021. These statutory deadlines were put in place before the global COVID-19 pandemic either delayed or disrupted nearly every operation that the Census Bureau had planned for the 2020 Census. However, as a result of the pandemic’s enormous impact, the Bureau extended the data collection period from the end of July to the end of October 2020 instead. The Bureau also requested—with the administration’s full support—statutory Congressional relief in the form of an additional 120 calendar days to deliver final apportionment counts “to ensure the completeness and accuracy of the 2020 Census.”<sup>1</sup>

Despite this, Commerce Secretary Wilbur Ross requested that Census Bureau officials develop a compressed timeline requiring that the Bureau shorten both the data collection and data processing periods to meet the original December 31<sup>st</sup> reporting deadline. Under this shortened timeline, data processing originally scheduled to take 153 days has been allotted only 92 days.

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<sup>1</sup> <https://www.census.gov/newsroom/press-releases/2020/statement-covid-19-2020.html?fbclid=IwAR30edSorSFB107m3aD3ZbJ4LbDSFK7DO4-zHG1xWsiqn4QeczSqoWCmPA#:~:text=APRIL%2013%2C%202020%20%E2%80%94%20The%202020,America%20are%20responding%20every%20day.&text=Protect%20the%20health%20and%20safety,accurate%20count%20of%20all%20communities>

Tellingly, on November 19<sup>th</sup>, the Census Bureau announced that they have experienced processing anomalies during post enumeration processing.<sup>2</sup> Senior Census Bureau staff in conversations with reporters have noted that it will not be possible to resolve the anomalies and properly process the data in time to meet the current December 31<sup>st</sup> statutory deadline for delivering apportionment data and that the Commerce Department has been notified that it will not be possible to produce apportionment totals by January 26<sup>th</sup> at earliest.<sup>3</sup>

Yet, during the November 30<sup>th</sup> Supreme Court hearing on the White House Memorandum excluding undocumented immigrants from apportionment totals, the Trump Administration maintained throughout the argument that they are still aiming to deliver totals by the December 31<sup>st</sup> deadline.<sup>4</sup> This raises concerns that any data the Census Bureau submits to the President by December 31<sup>st</sup> will be severely compromised. The potential lack of accuracy in such totals will not only impact communities of color, but all Americans. However, given the historical undercounts in our communities and the greater use of administrative records, proxy, and imputation to enumerate our populations, we remain concerned that these inaccuracies will disproportionately affect the communities of color we represent.

The Supreme Court has already ruled that the Census Bureau can move forward on their expedited timeline to deliver apportionment totals by December 31<sup>st</sup> and there has been no clear indication that the Trump Administration will request an extension of the 2020 Census. Without taking bipartisan legislative action to preemptively extend the 2020 Census, Congress may be forced to assess and possibly reject the accuracy of the results of the 2020 Census in the new year.

We respectfully request that as you finalize negotiations on end of year legislation with President Trump and Senate Republicans that you continue to push for an extension of the deadline for delivering apportionment and redistricting data to April and July 2021, respectively. A rushed census will all but guarantee that our communities and all Americans miss out on crucial funding and representation in government. The COVID-19 pandemic has made long-standing inequities in our public health and public institutions impossible to ignore, and without an accurate 2020 Census, we will perpetuate these inequities for another decade to come. It is imperative that Congress extend the statutory deadlines for delivering apportionment and redistricting data before the end of the year. The futures of our communities are at stake.

Respectfully,



Joaquin Castro  
Chair  
Congressional Hispanic  
Caucus



Judy Chu  
Chair  
Congressional Asian Pacific  
American Caucus



Karen Bass  
Chair  
Congressional Black Caucus

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<sup>2</sup> <https://www.census.gov/newsroom/press-releases/2020/statement-post-collection-processing.html>

<sup>3</sup> <https://www.nytimes.com/2020/11/19/us/2020-census-data.html>

<sup>4</sup> [https://www.supremecourt.gov/oral\\_arguments/argument\\_transcripts/2020/20-366\\_7lho.pdf](https://www.supremecourt.gov/oral_arguments/argument_transcripts/2020/20-366_7lho.pdf)

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Senator Joe Manchin  
Senator Mark Warner  
Senator Angus King  
Senator Jeanne Shaheen  
Senator Maggie Hassan